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August 7, 2008

SO ORDERED

VIA FAX

The Honorable Judge George B. Daniels
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street
New York, New York 10007

George B. Daniels
HON. GEORGE B. DANIELS
AUG 13 2008

Re: Board of Trustees of the Dist. 6 Health Plan v. Pinnacle Managing Co., LLC *et al*
Index No. 07-Civ-6391

Dear Judge Daniels:

This firm represents defendants Pinnacle Managing Co., LLC, Realty Corp., LLC a/k/a 3647 Realty Co., LLC a/k/a 3657 Realty Co., LLC and Wiener Realty, LLC ("Defendants") in the above-referenced matter. On August 4, 2008, Plaintiff filed a motion to dismiss Defendants' counterclaims and to strike two of Defendants' affirmative defenses. With respect to the briefing schedule regarding these motions to dismiss and to strike, Defendants respectfully request an extension until August 22, 2008 to submit their opposition to Plaintiff's motions. In turn, Defendants consent to Plaintiff having until September 5, 2008 to submit reply papers. This is Defendants' first request for such an extension of time to oppose the motions. Counsel for Plaintiff and Defendants have jointly agreed to this briefing schedule.

Respectfully submitted,



Joel E. Cohen

cc: Marc Tenenbaum, Esq. (via email)
Charles Virginia, Esq. (via email)

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